

Exhibit B

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UNITED STATES, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

No. 1:23-cv-00108-LMB-JFA

**DECLARATION OF JOY ROBINS IN
SUPPORT OF NON-PARTY THE NEW
YORK TIMES COMPANY'S
OBJECTION TO THE PUBLIC USE
OF CONFIDENTIAL DOCUMENTS
AND TESTIMONY**

I, Joy Robins, declare as follows:

1. I am an officer of The New York Times Company (the "Times"). My position/title is Global Chief Advertising Officer. I have personal knowledge of all facts stated within this Declaration.

2. The Times is a non-party to the above-captioned litigation. The Times received non-party deposition subpoenas from Defendant on July 6, 2023 and from Plaintiffs on July 11, 2023, pursuant to which The Times provided Rule 30(b)(6) deposition testimony in a deposition held on August 25, 2023. The Times subsequently designated significant portions of the deposition testimony Confidential or Highly Confidential under the Court's protective order.

3. I am personally familiar with the testimony that is referenced below. As I describe more fully below, portions of the testimony contain information that I consider to be highly commercially and competitively sensitive.

4. The Times takes significant precautions to ensure that this information is not made public, and the executives and employees who have access to it—myself included—are required to keep this information confidential. To protect confidential business information and sensitive customer information and prevent inadvertent disclosure of such information to others, The Times has internal policies including the following: policies against the disclosure of confidential information; training of employees regarding safeguarding confidential information;

confidentiality and non-disclosure agreements with vendors and other partners; and a policy regarding document retention and destruction.

5. The public disclosure of highly commercially and competitively sensitive information would cause The Times significant competitive harm. Such information, if made public, could be used by our competitors to derive insights about our business operations and strategies. Further, such information could be used by our current and prospective customers, vendors, and business partners to gain unfair advantages in negotiations and dealings with The Times.


The Parties' Designation of Confidential Deposition Testimony for Use at Trial.

6. I am aware that the parties have jointly designated over 200 pages of The Times's deposition testimony for use at trial. I have personally reviewed the portions of the deposition that have been designated for use at trial. As described below, they contain non-public, commercially and competitively sensitive information.

7. The testimony designated by the parties includes several highly sensitive categories of information, including: (1) information about the financial performance of The Times's advertising business; (2) how The Times tracks and categorizes sources of advertising revenue; (3) pricing for direct and indirect display advertising; (4) staffing levels of teams within The Times's advertising department; (5) the way The Times employs various advertising technology, including header bidding; and (6) The Times's understanding of the online advertising market, including the extent to which different advertising technology platforms offer unique demand. The Times does not make any of this information public. I consider this information to be highly commercially and competitively sensitive. If it became public, it could be used by The Times's competitors to derive competitive insights about our business operations and strategies. Further, it could be used by current and prospective customers, vendors, and business partners to gain unfair advantages in negotiations and dealings with The Times.

8. With my assistance, The Times is filing with the Court a set of proposed acceptable redactions that conceal these categories of information but leave unredacted less sensitive information. The proposed redactions reflect the categories of highly sensitive information described above that, if disclosed, would cause The Times significant harm.

I, Joy Robins, declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on July 25, 2024.

Signature: 

Printed Name: Joy Robins